



Town of Berwyn Heights

5700 Berwyn Road
Berwyn Heights, MD 20740
Tel. (301) 474-5000
Fax (301) 474-5002

MAYOR
Amanda M. Dewey

COUNCIL MEMBERS
Jodie A. Kulpa-Eddy (Mayor Pro Tem)
Christopher S. Brittan Powell
Jason W. Papanikolas
Ethan D. Sweep

Worksession Minutes March 15, 2021 | 7:00 pm

This meeting was held by videoconference due to the ongoing COVID-19 health emergency. The meeting was broadcast on Berwyn Heights cable TV channels and streamed on the Town website. Residents were given the opportunity to join the meeting via Zoom and comment by telephone and email.

The meeting was called to order at 7:00 p.m. Present were Mayor Amanda Dewey, Mayor Pro Tempore (MPT) Jodie Kulpa-Eddy, Councilmembers (CMs) Christopher Brittan-Powell, Jason Papanikolas and Ethan Sweep. Also present were Town Manager (TM) Laura Allen and Town Clerk Kerstin Harper.

1. Announcements

Mayor Dewey announced several changes in Covid-19 regulations that took effect last week. The State of Maryland has loosened restrictions on businesses, but Prince George's County is taking a slower approach and is setting operating capacity at 50% for most businesses. Outdoor private gatherings are now limited to 50 people and indoor gatherings to 20. Masks are still required in all public places, indoors or outdoors, except when actively eating or drinking or when vigorously exercising. Senior Centers remain closed throughout Maryland. Vaccination has entered phase 1-c which includes people aged 65 and above, among others.

2. Approval of the Agenda

On a motion by MPT Kulpa-Eddy and second by CM Brittan-Powell, the agenda was approved 5 to 0.

3. Discussion Items

FY 2022 draft budget: TM Allen gave an overview of the FY 2022 budget, beginning with the budget schedule. She said the Charter provides for the annual budget to be adopted at a regular meeting in May and the schedule works back from there. A public hearing on the budget is held in April upon its first reading. At the same meeting, a hearing will be held on the constant yield tax rate, as required by State law. This would require lowering the tax rate to generate the same amount of revenue as in the current year if there is an increase in real property values. TM Allen recommended leaving the tax rate at its current level of \$0.545 per \$100 of assessed real property value, which includes a \$0.03 per \$100 of assessed value for the infrastructure reserve (road tax). This rate is expected to produce an additional \$100,300 in revenues.

TM Allen continued that this year the Council asked to reach out to the community for input on setting priorities in the FY 2022 budget. To that end, a budget survey was published in the February Bulletin and on the website, and a Budget Town Hall was held on February 17. By combining the results of the survey and the Budget Town Hall discussion, the following 4 priorities were distilled:

1. Condition of streets, pedestrian & bike safety;

2. Social activities, recreation & parks;
3. Sustainability;
4. Effective communication, community engagement.

TM Allen continued that this a largely status quo budget totaling \$3.8 million, or 3% less than the FY 2021 budget. Revenues are expected to increase by \$100,300 due to a slight rise in property values. Staffing levels remain the same, except for the Town Clerk position, which will become full-time and include many of the Public Information Aide position job duties

During this fiscal year several large purchases were postponed due to the pandemic. They are proposed to be reprogrammed for FY 2022, including:

1. \$210,000 for road repairs; (the road condition list is being updated);
2. \$50,800 for one police vehicle;
3. \$353,300 for Public Works Vehicles (chassis for F350 pickup truck, 25 cubic yard Freightliner refuse truck with cart tippers, and a new leaf vacuum);
4. \$2,700 for a new oven in the Senior Center.

The proposed FY 2022 budget also includes a 1.5% Cost of Living Adjustment (COLA) costing approximately \$20,000 and a 1% merit increase costing approximately \$25,000. The COLA is based on a 1.5% increase of the consumer price index in the Washington-Baltimore area in 2020 posted by the US Bureau of Labor Statistics.

The FY 2022 budget supports the Council priorities as follows:

- Street, sidewalks, pedestrian and bicycle safety
 - \$210,000 for road repairs, and
 - \$30,000 for implementation of WBBH
- Recreation, Parks and Civic Life
 - Level funding of Town organizations
 - \$4,000 for National Night Out
- Sustainability
 - Level funding for Green Team,
 - \$16,000 Urban Forest maintenance
 - \$3,000 composting program;
 - Partnerships with Thriving Earth Exchange to control invasive plants (staff time)
 - Continued partnership with UMD Campus Community Connections (C-3) (staff time)
 - Balanced budget
- Effective Communication
 - Development of communications policy (staff time & Town Attorney)
 - \$5,000 for language pay, i.e. Spanish translation services
 - \$23,000 printed monthly bulletin sent to all households
 - E-newsletter

TM Allen discussed the American Recovery Plan Act (ARPA) funds the Town is expected to receive. A total of approximately \$2.75 million in funding will be disbursed in two installments, with the first coming in June-July 2021 and the second in spring/summer of 2022. All ARPA funds must be spent by December 31, 2024. The funds are subject to spending restrictions which have not been fully defined. The Treasury Department will issue guidance in coming weeks regarding eligible uses and reporting requirements. At this point, it is known that funds can be spent on infrastructure projects but not what type. Funds may not be spent on tax reduction or pension programs.

ARPA funds are not included in the FY 2022 draft budget because of the timing of the notification. A discussion on how to use the funds is planned for the 2nd worksession in April when better guidance will be available.

Discussion included the following points:

- Information is requested on potential increases in real property assessments in the next assessment cycle. This would help determine if the Town might provide tax relief to residents who struggle with paying property taxes due to COVID-related loss of income. TM Allen said that residents can claim the State's and the Town's Homeowner's Tax Credit to offset some of the tax increase.
- High tax rates are a reason many Berwyn Heights seniors move to lower tax states. The Town might prepare an information packet on how to obtain tax relief.
- Confirmation is requested whether Highway User Revenue (HUR) will go down by 7%, as projected in the draft budget. HUR legislation enacted in 2018 called for annual increases in HUR disbursements for a certain number of years. TM Allen said the HUR number in the FY 2022 budget was provided by the State.
- An explanation is requested why Cable TV franchise fees and PEG grants are projected to go down, and whether these fees are collected on both Cable TV services and internet services. TM Allen replied reductions in these fees are seen by municipalities throughout this area and may be due to people switching to streaming solutions. She will research which services are covered by the franchise fees.
- An explanation is requested why the Council stipends appropriation is decreasing by 20%. TM Allen replied that not all Councilmembers want the stipend.
- Confirmation is requested if increased participation in the food scraps composting program will result in more expense in that line item.
- Some rental homeowners have complained about Berwyn Heights' relatively high rental license fee. Clarification is requested on how that fee is determined. TM Allen said generally fees are set to cover the cost of a program. She will look into how this fee was set.
- Information is requested on a revised road repair schedule, as repairs have been postponed this year. TM Allen said the Interim Public Works Director is updating the road condition report which will be used as the basis for determining the priorities.
- Information is requested on whether the vehicle replacement schedule will change with postponement of a police vehicle purchase. TM Allen said the draft budget calls for reprogramming the purchase, meaning one hybrid police vehicle is proposed to be purchased in FY 2022.

TM Allen suggested that Councilmembers bring any additional general and/ or specific concerns about the draft budget to her attention. She will seek to provide answers at the next worksession. She also expects to have more information on how ARPA funds can be used.

Maglev comment letter: MPT Kulpa-Eddy said she drafted a comment letter on a Draft Environmental Impact Statement (DEIS) for the proposed high-speed Maglev rail system for the Council's consideration. She has heard concerns about the project, including from residents, and would like to know whether the Council has an interest in submitting comments and what points should be raised.

In discussion, the following points were made:

- There was general agreement that a letter should be sent.

- The likely negative impact on local waterways, including Beaver Dam Creek and Indian Creek, by construction of a Trainset Maintenance Facilities at BARC should be the top concern.
- Increased pollution and flooding along Indian Creek are the most direct impacts on Berwyn Heights.
- The Maglev project is likely to benefit a limited group of high-income earners.
- Maglev construction will impact Prince George's County without the benefit of being served.
- Council supports rail systems, but not necessarily in the form currently proposed.
- The proposed Washington to Baltimore Maglev pilot project should be tied to the likelihood of constructing an entire east coast system.
- It is believed that other states and cities have declined to participate in Maglev construction.
- A case should be made for utilizing the existing railroad infrastructure to improve railroad systems.

Mayor Dewey summarized that next steps for commenting on the Maglev DEIS include review of a revised letter at the next worksession and adoption at the April Town meeting. The deadline for comments is April 22.

Greenbelt request for support

Mayor Dewey explained that the City of Greenbelt has engaged a law firm to fight the proposed Maglev project and is requesting financial support from other municipalities impacted by the project. Greenbelt expects to spend \$300,000 on legal fees and performing its own environmental study. Council is requested to discuss if Berwyn Heights wants to make a contribution.

MPT Kulpa-Eddy requested additional information on maps referenced in Greenbelt's letter that show the impact the project has on certain Prince George's communities. Clerk Harper was asked to obtain the information.

Mayor Dewey commented that she has reservations about making a financial contribution. Berwyn Heights is not as directly impacted by the project as Greenbelt. Further, a contribution might have been requested at the outset when contributors could have had some input on how the money is spent. The Council agreed. TM Allen was requested to find out which other municipalities were approached for a contribution and how large a contribution is requested. The matter will be revisited at the next worksession for a final determination.

CSX Intermodal Facility

CM Brittan-Powell asked about plans to construct facilities in Beltsville and elsewhere to service double-stacked freight trains, which might have a greater impact on Berwyn Heights. MPT Kulpa-Eddy clarified that a planned CSX intermodal facility at Sunnyside is no longer in contention. Any facility to stack and unstack double-stacked freight trains would be built in Baltimore.

4. Department Reports

Mayor Dewey announced that BHPD will sponsor a 'pot-of-gold' St. Patrick's Day event on March 17, while the Recreation Council plans to broadcast a concert on BHTV and YouTube. She will attend upcoming meetings of the MML Legislative Committee, PGCMA, and a Mayor's meeting with County Councilmember Glaros. Residents are encouraged to contact her about any County or State legislative matters of interest or with questions. Staff is busy drafting the FY 2022 budget and finding out more about ARPA funds.

MPT Kulpa-Eddy reported that Delegate Washington's virtual Town Hall event on federal and state aspects of ARPA and the Maryland RELIEF Act has been postponed until March 18. Applications to serve on the Town's Ethics Commission will be accepted until March 31. A Prince George's County cultural arts survey has been extended to March 19. A related cultural arts teen forum will take place on March 25. Students can earn community service hours for participating. A survey is being conducted by the County's Responsible Legacy Task Force closing on March 31. The Task Force is reviewing all monuments, parks, street names, and County buildings and is creating a process to determine the future of names linked to a prejudiced past.

MPT Kulpa-Eddy announced upcoming meetings of the Education Advisory Committee and Historical Committee. Residents can contact the EAC about a summary of the recently released PGCPs school boundaries initiative. The Historical Committee is finalizing a disclaimer for historical marker language and drafting a response to an article on the incorporation of College Park published in a new College Park newspaper "Here & Now." The article contains some factual errors about Berwyn Heights history. The Recreation Council is hosting a virtual trivia night on April 23 and continues to plan for Berwyn Heights Day.

CM Brittan-Powell thanked the Code team for handling code matters professionally. He encouraged CM Papanikolas and MPT Kulpa-Eddy to give him feedback on setting rental license fees.

CMs Papanikolas and Sweep had no reports.

5. Resident and Community Comments

MPT Kulpa-Eddy shared a comment about a large gathering at Sports Park and asked for a reminder of current COVID restrictions. Mayor Dewey stated that gatherings are limited to 50 people outside and 20 people inside. Masks must be worn, except when eating and exercising. BHPD is taking a collaborative approach to enforcement that informs residents of COVID restrictions before moving to enforcement. If residents have a concern about a gathering, they should report it to BHPD while it is ongoing.

CM Brittan-Powell commented on the shared responsibility of Berwyn Heights and Park & Planning for maintaining Sports Park. Mayor Dewey said the Town is working with Park & Planning to clarify these issues. The process has been more difficult than expected.

On a motion by CM Sweep and second by CM Brittan-Powell, the meeting was adjourned at 8:40 p.m.

Signed: *Kerstin Harper*, Town Clerk